

SUSMAN GODFREY L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
15TH FLOOR
560 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022-6828
(212) 336-8330
FAX (212) 336-8340
WWW.SUSMANGODFREY.COM

SUITE 5100
1000 LOUISIANA STREET
HOUSTON, TEXAS 77002-5096
(713) 651-9366

SUITE 5100
901 MAIN STREET
DALLAS, TEXAS 75202-3775
(214) 754-1900

SUITE 950
1901 AVENUE OF THE STARS
LOS ANGELES, CALIFORNIA 90067-6029
(310) 789-3100

SUITE 3800
1201 THIRD AVENUE
SEATTLE, WASHINGTON 98101-3000
(206) 516-3880

SHAWN J. RABIN
DIRECT DIAL (212) 471-8347

E-MAIL SRABIN@SUSMANGODFREY.COM

June 30, 2014

VIA ECF

Honorable John F. Keenan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Coreolis Holdings, Inc., et al. v. George Soros, et al.* (10-cv-8175); and
TradeWinds Airlines, Inc. v. George Soros, et al. (08-cv-5901)

Dear Judge Keenan:

We represent plaintiff TradeWinds Airlines, Inc. (“TradeWinds”) in this consolidated veil-piercing action and submit *Propst v. North Carolina Department of Health and Human Services*, -- S.E.2d --, 2014 WL 2480188 (N.C. App. June 3, 2014), as supplemental authority to the pending motion for summary judgment. Co-plaintiffs, Coreolis Holdings, Inc. and TradeWinds Holdings, Inc. (collectively, “Coreolis”), join this letter.

In our Opposition to Defendants’ Motion for Summary Judgment, we noted that a recent North Carolina Court of Appeals’ decision declined to follow the Restatement (Second) of Judgments, consistent with North Carolina Supreme Court precedent. *See* Opp. Brief at 31-32 (citing *Tong v. Dunn*, 752 S.E.2d 669, 675 (N.C. App. 2013) (explaining how the North Carolina Supreme Court declined to adopt the Restatement (Second) of Judgment’s transactional approach to res judicata)).

This month, the North Carolina Court of Appeals once again refused to adopt a section of the Restatement (Second) of Judgments: **“We decline to follow the approach of the Second Restatement as to this issue because it is incompatible with the doctrine of collateral estoppel as it has been applied in this state.”** *Propst*, 2014 WL 2480188 at *3 (emphasis added). Because this decision was issued after our opposition brief was due, we are submitting it with this notice.

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Southern District of New York
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Sincerely,

A handwritten signature in blue ink, appearing to read "SR", is written on a light yellow rectangular background. A thin vertical line is positioned to the right of the signature.

Shawn J. Rabin

cc: All Parties